

SERVED: November 16, 1994

NTSB Order No. EA-4285

UNITED STATES OF AMERICA  
**NATIONAL TRANSPORTATION SAFETY BOARD**  
WASHINGTON, D.C.

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD  
at its office in Washington, D.C.  
on the 10th day of November, 1994

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DAVID R. HINSON,  
Administrator,  
Federal Aviation Administration,

Complainant,

v.

Dockets SE-12861 and  
SE-12862 RM

SECURITY INVESTMENT BANCORP; and  
PATRIOT AIRLINES, INC.,

Respondents.

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ORDER DISMISSING APPEAL

On June 6, 1994, respondents by counsel, filed a notice of appeal from the decisional order of Administrative Law Judge Patrick G. Geraghty which was served on May 25, 1994.<sup>1</sup> However, respondents have failed to file an appeal brief and, therefore,

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<sup>1</sup>The law judge found that the issues raised in the complaint had been resolved and terminated the proceeding as moot.

their appeal is subject to dismissal under § 821.48(a) of the Board's Rules of Practice.<sup>2</sup> 49 CFR 821.

ACCORDINGLY, IT IS ORDERED THAT:

The respondents' appeal is dismissed.

HALL, Chairman, LAUBER, HAMMERSCHMIDT, and VOGT, Members of the Board, concurred in the above order.

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<sup>2</sup>Section 821.48(a) provides as follows:

§ 821.48 Briefs and oral argument.

(a) Appeal briefs. Each appeal must be perfected within 50 days after an oral initial decision has been rendered, or 30 days after service of a written initial decision, by filing with the Board and serving on the other party a brief in support of the appeal. Appeals may be dismissed by the Board on its own initiative or on motion of the other party, in cases where a party who has filed a notice of appeal fails to perfect his appeal by filing a timely brief.